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## 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 of the inmates  
2 at the State's overcrowded prisons have violated probation,  
3 parole, or furlough by use of illicit substances and are in need  
4 of substance abuse treatment and mental health services.

5           The legislature further finds that the department of public  
6 safety is statutorily required pursuant to section 353-10.5,  
7 Hawaii Revised Statutes, to implement alternative programs that  
8 place, control, supervise, and treat selected offenders in lieu  
9 of incarceration.

10           The legislature further finds that the department of public  
11 safety has available space at Halawa valley for the new Oahu  
12 community correctional center to also accommodate a minimum-  
13 security facility to house up to four hundred fifty short-term  
14 adult offenders. The purpose of the minimum-security facility  
15 shall be to alleviate the overcrowded conditions of the State's  
16 prison system and to provide much-needed substance abuse  
17 treatment and support services, cognitive behavioral



1 intervention, and transitional programming instead of returning  
2 an offender to a "hard bed" in a correctional institution.

3 Furthermore, it has been determined that the offenders  
4 housed at this minimum-security facility shall have violated  
5 probation, parole, or furlough by illicit substance use, or are  
6 sentenced felon probationers, or sentenced misdemeanants  
7 identified as high risk for illicit substance use or recidivism.

8 The minimum-security facility shall also have the capacity  
9 to house adult males in a furlough program in a minimum-security  
10 setting.

11 The legislature further finds that the department of health  
12 is statutorily required pursuant to section 26-13, Hawaii  
13 Revised Statutes, to administer programs designed to protect,  
14 preserve, care for, and improve the physical and mental health  
15 of the people of the State. The legislature finds that the  
16 department of health has access to the best personnel to provide  
17 substance abuse treatment and support services, cognitive  
18 behavioral intervention, and transitional programming in lieu of  
19 incarceration.

20 The purpose of this Act is to establish within the  
21 department of public safety with assistance from the department



1 of health a minimum-security housing program for short-term  
2 adult offenders in a county with a population of more than seven  
3 hundred fifty thousand.

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

7 "§353- Minimum-security housing program; short-term  
8 adult offenders. (a) There is established within the  
9 department of public safety a minimum-security housing program  
10 for short-term adult offenders in a county with a population of  
11 more than seven hundred fifty thousand. The minimum-security  
12 housing program shall be located at or near a community  
13 correctional center and a prison.

14 (b) The purpose of the minimum-security housing program is  
15 to alleviate the overcrowded conditions of the State's prison  
16 system and have the department of health provide assistance in  
17 substance abuse treatment and support services, cognitive  
18 behavioral intervention, and transitional programming in lieu of  
19 incarceration.

20 (c) The offenders housed at the minimum-security housing  
21 program shall be:



- 1        (1) Probation or parole violators;
- 2        (2) Illicit substance abuse furlough violators;
- 3        (3) Sentenced felon probationers; or
- 4        (4) Sentenced misdemeanants identified as high risk for
- 5                illicit substance use or recidivism;
- 6        (d) The minimum-security housing program shall also have
- 7 the capacity to house adult males in a furlough program in a
- 8 minimum-security setting."

9            SECTION 3. The director of finance is authorized to issue  
10 general obligation bonds in the sum of \$                    or so much  
11 thereof as may be necessary and the same sum or so much thereof  
12 as may be necessary is appropriated for fiscal year 2019-2020  
13 for the purpose of a minimum-security housing program. The sums  
14 appropriated shall be allocated as follows:

- 15        (1) \$                    for the design of the four hundred fifty-bed
- 16                minimum-security housing facility; and
- 17        (2) \$                    for the construction of the four hundred
- 18                fifty-bed minimum-security housing facility.

19            SECTION 4. The appropriation made for the capital  
20 improvement project authorized by this Act shall not lapse at  
21 the end of the fiscal biennium for which the appropriation is



1 made; provided that all moneys from the appropriation  
2 unencumbered as of June 30, 2022, shall lapse as of that date.

3 SECTION 5. There is appropriated out of the general  
4 revenues of the State of Hawaii the sum of \$ or so much  
5 thereof as may be necessary for fiscal year 2019-2020 and the  
6 same sum or so much thereof as may be necessary for fiscal year  
7 2020-2021 for the minimum-security housing program. The sums  
8 appropriated shall be allocated as follows:

9 (1) \$ for the hiring of staff to oversee the  
10 minimum-security facility; and

11 (2) \$ for the operation of the minimum-security  
12 housing program.

13 The sums appropriated shall be expended by the department  
14 of public safety for the purposes of this Act.

15 SECTION 6. There is appropriated out of the general  
16 revenues of the State of Hawaii the sum of \$ or so much  
17 thereof as may be necessary for fiscal year 2019-2020 and the  
18 same sum or so much thereof as may be necessary for fiscal year  
19 2020-2021 for the hiring of staff and the procurement of  
20 substance abuse treatment services, cognitive behavioral



# H.B. NO. 1591

1 intervention, and transitional programming within the department  
2 of health for the minimum-security housing program.

3 The sums appropriated shall be expended by the department  
4 of health for the purposes of this Act.

5 SECTION 7. This Act shall be liberally construed to  
6 accomplish the purposes set forth in section 1 of this Act.

7 SECTION 8. All laws and parts of laws heretofore enacted  
8 that are in conflict with the provisions of this Act are hereby  
9 amended to conform herewith.

10 SECTION 9. New statutory material is underscored.

11 SECTION 10. This Act shall take effect on July 1, 2019.

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# H.B. NO. 1551

**Report Title:**

Minimum-Security Housing Program; Short-Term Adult Offenders;  
Appropriation

**Description:**

Establishes a minimum-security housing program in a county with a population of more than 750,000 for short-term adult offenders. Provides capacity for a furlough program. Appropriates funds.

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

