

---

---

# A BILL FOR AN ACT

RELATING TO PAROLE OFFICERS.

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

1           SECTION 1. The legislature finds that parole officers  
2 serve a vital role in the State's justice system. Parole  
3 officers are charged with supervising parolees and ensuring that  
4 the parolees are abiding by their terms of parole. In the  
5 course of their duties, parole officers conduct investigations  
6 and approach parolees outside of an office setting and in a  
7 potentially hostile environment. Providing parole officers with  
8 the authority, training, equipment, and resources to conduct  
9 their duties in the field will protect parolees and the public.

10           The purpose of this Act is to:

- 11           (1) Authorize parole officers to use electric guns;  
12           (2) Explicitly include parole officers among the law  
13 enforcement officers subject to the jurisdiction of  
14 the law enforcement standards board, for training and  
15 certification purposes;



1 (3) Authorize parole officers to arrest parolees without a  
2 warrant when there is probable cause that the parolee  
3 is in violation of the terms of parole; and

4 (4) Provide parole officers with the powers of police  
5 officers.

6 SECTION 2. Section 134-16, Hawaii Revised Statutes, is  
7 amended by amending subsection (c) to read as follows:

8 "(c) This section shall not apply to:

9 (1) Law enforcement officers of county police departments;

10 (2) Law enforcement officers, including parole officers,  
11 of the department of public safety;

12 (3) Conservation and resources enforcement officers of the  
13 department of land and natural resources;

14 (4) Members of the Army or Air National Guard when  
15 assisting civil authorities in disaster relief,  
16 emergency management, or law enforcement functions,  
17 subject to the requirements of section 121-34.5;

18 (5) Law enforcement officers appointed by the director of  
19 transportation pursuant to section 266-24; and

20 (6) Vendors providing electric guns to the individuals  
21 described in paragraphs (1) through (5);



1 provided that electric guns shall at all times remain in the  
2 custody and control of the law enforcement officers of the  
3 county police departments, the law enforcement officers of the  
4 department of public safety, the conservation and resources  
5 enforcement officers of the department of land and natural  
6 resources, the members of the Army or Air National Guard, or law  
7 enforcement officers appointed by the director of  
8 transportation."

9 SECTION 3. Section 139-1, Hawaii Revised Statutes, is  
10 amended by amending the definition of "law enforcement officer"  
11 to read as follows:

12 "Law enforcement officer" means:

- 13 (1) A police officer employed by a county police  
14 department;
- 15 (2) A public safety officer, including a parole officer,  
16 employed by the department of public safety; or
- 17 (3) An employee of the department of transportation,  
18 department of land and natural resources, department  
19 of taxation, or department of the attorney general who  
20 is conferred by law with general police powers."



1 SECTION 3. Section 353-71, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§353-71 Parole officer and assistant parole officers.

4 (a) The Hawaii paroling authority may appoint and remove at  
5 pleasure a parole officer and assistant parole officers as may  
6 be necessary, who shall receive such compensation as shall be  
7 provided by law. The duties of the parole officer shall be as  
8 follows:

9 (1) To keep a record of all paroled prisoners; to add from  
10 time to time thereafter information concerning the  
11 employment and wages of each paroled prisoner,  
12 together with the name of the paroled prisoner's  
13 employer and such details concerning the paroled  
14 prisoner's health, conduct, and environment as may  
15 come to the attention of the parole officer either  
16 from reports made to the parole officer or through the  
17 parole officer's own personal investigation;

18 (2) To receive reports from paroled prisoners as may be  
19 required by the rules and regulations of the paroling  
20 authority and to check such reports by personal  
21 investigations and by conferences with the employers



- 1 of such prisoners and such other persons as can give  
2 information concerning the habits, work, and  
3 environment of such prisoners;
- 4 (3) To investigate and keep informed upon the habits,  
5 work, wages, and environment of such prisoners, if any  
6 there be, as are not required to report to the parole  
7 officer;
- 8 (4) To make such other investigations, secure such other  
9 information and data, perform such other duties and  
10 make such other reports, in addition to those which  
11 may be required by law, as may be required by the  
12 paroling authority;
- 13 (5) To make a report once in each month to the paroling  
14 authority, together with such additional reports as  
15 the circumstances call for, concerning the prisoners  
16 on parole and their conduct and environment; [~~and~~]
- 17 (6) As far as practicable, to assist in obtaining suitable  
18 employment for paroled prisoners and otherwise assist  
19 in rehabilitation of such paroled prisoners[-]; and



# H.B. NO. 1616

1        (7) To arrest a parolee without a warrant if there is  
 2                    probable cause to believe that the parolee is in  
 3                    violation of the terms and conditions of parole.

4            Each assistant parole officer shall have such of the powers  
 5 and duties of the parole officer hereinabove provided for as  
 6 shall be prescribed by the paroling authority.

7            (b) Each parole officer, within the scope of the parole  
 8 officer's duties, shall have the powers of a police officer."

9            SECTION 4. Statutory material to be repealed is bracketed  
 10 and stricken. New statutory material is underscored.

11            SECTION 5. This Act shall take effect upon its approval.

12

INTRODUCED BY: Gregg Tilton / By Request  
 JAN 10 2020



# H.B. NO. 1616

**Report Title:**

Parole Officers; Law Enforcement; Training; Equipment; Resources

**Description:**

Gives parole officers, within the scope of their duty, the powers of a police officers. Provides parole officers with the authority to arrest paroled prisoners without a warrant when there is probable cause of a violation of parole. Authorizes parole officers to use electric guns and subjects parole officers to the authority of the law enforcement standards board.

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

