

JAN 24 2019

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 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



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.

12

INTRODUCED BY: Clarence Michikere

Carol R. Bell

D. K. [Signature]

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S.B. NO. 1541

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.

