

JAN 21 2022

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# A BILL FOR AN ACT

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RELATING TO PRETRIAL RELEASE.

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

1       SECTION 1. Section 353-6.2, Hawaii Revised Statutes, is  
2 amended to read as follows:

3       "~~§~~353-6.2~~§~~ Community correctional centers; periodic  
4 reviews of pretrial detainees. (a) The relevant community  
5 correctional centers, on a periodic basis but no less frequently  
6 than every three months, shall conduct reviews of pretrial  
7 detainees to reassess whether a detainee should remain in  
8 custody or whether new information or a change in circumstances  
9 warrants reconsideration of a detainee's pretrial release or  
10 supervision.

11       (b) For each review conducted pursuant to subsection (a),  
12 the relevant community correctional center shall transmit its  
13 findings and recommendations by correspondence or electronically  
14 to the appropriate court, prosecuting attorney, and defense  
15 counsel.



1 (c) If a motion to modify bail is filed pursuant to a  
2 recommendation made pursuant to subsection (b), a hearing shall  
3 be scheduled at which the court shall consider the motion.

4 (d) If a motion to modify bail is granted pursuant to a  
5 hearing scheduled pursuant to subsection (c) and there is an  
6 existing restraining order or protective order in effect  
7 governing the pretrial detainee, the court shall automatically  
8 extend the duration of the restraining order or protective order  
9 for a duration equal to the duration the pretrial detainee would  
10 have remained in custody."

11 SECTION 2. This Act does not affect rights and duties that  
12 matured, penalties that were incurred, and proceedings that were  
13 begun before its effective date.

14 SECTION 3. Statutory material to be repealed is bracketed  
15 and stricken. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.

17  
INTRODUCED BY: 



# S.B. NO. 2856

**Report Title:**

Pretrial Release; Detainees; Community Correctional Centers;  
Restraining Order Extension

**Description:**

Requires the court to extend the duration of a restraining order or protective order issued against a pretrial detainee if the detainee is granted a motion for pretrial release.

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

