
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 the State should
2 protect incarcerated persons and their loved ones from predatory
3 commercial practices. Private corporations providing goods and
4 services to state correctional facilities should not be allowed
5 to charge exorbitant rates. Currently, the provision of jail
6 and prison communication services is a lucrative industry
7 dominated by a few corporations. The industry is constantly
8 diversifying the array of communication services it provides, at
9 great cost, to jails and prisons, including phone calls, video
10 conferencing, electronic messages, and other communication
11 services. Correctional facilities may also benefit financially
12 from communication services contracts by receiving commissions,
13 bonuses, and other financial incentives.

14 The legislature further finds that the high cost of jail
15 and prison communication services is a significant economic
16 drain for incarcerated persons and their families. The Ella
17 Baker Center for Human Rights found that one in three families



1 with an incarcerated loved one goes into debt to pay for
2 communication services and visits. In Hawaii, these costs
3 disproportionately impact Native Hawaiians, Pacific Islanders,
4 and other people of color. According to the Ella Baker Center's
5 research, eighty-seven per cent of those who go into debt for
6 jail and prison communication services are women of color.

7 The legislature recognizes the importance of communication
8 services for persons who are incarcerated. Maintaining family
9 and community connections is key to successful reentry. Many
10 incarcerated persons will reside with their families after
11 release, and research has shown that incarcerated individuals
12 who maintain ties with their support networks have higher
13 success rates and lower recidivism rates. Regular communication
14 between incarcerated persons and their families, therefore,
15 benefits public safety.

16 The legislature also recognizes that many states support
17 the provision of free communication services to jails and
18 prisons. In 2018, New York City began offering these services
19 at no charge in its city jails. In 2021, Connecticut became the
20 first state to offer free communication services in its state
21 prison system. There are now active campaigns to implement



1 these policies statewide in Massachusetts, Michigan, New York,
2 Virginia, and eight other states.

3 Accordingly, the purpose of this Act is to:

4 (1) Require and appropriate moneys for the provision of
5 free voice communication services in the State's youth
6 and adult correctional facilities; and

7 (2) Appropriate funds for the Hawaii statewide automated
8 victim information and notification system.

9 SECTION 2. Chapter 352, Hawaii Revised Statutes, is
10 amended by adding a new section to be appropriately designated
11 and to read as follows:

12 "§352- Free voice communication services. (a) Each
13 Hawaii youth correctional facility shall provide persons in its
14 custody with accessible and functional voice communication
15 services that are free of charge to the person initiating and
16 person receiving the communication. The office of youth
17 services shall have operational discretion so that the use of
18 voice communication services does not interfere with the
19 facility's necessary operations.

20 (b) No state agency shall derive any form of revenue or
21 financial benefit from the provision of voice communication



1 services or any other communication services to a person
2 confined in a Hawaii youth correctional facility."

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

6 "§353- Free voice communication services. (a) Each
7 correctional facility operated by the department of public
8 safety, or its successor agency, shall provide persons in its
9 custody with accessible and functional voice communication
10 services that are free of charge to the person initiating and
11 person receiving the communication. The department of public
12 safety, or its successor agency, shall have operational
13 discretion so that the use of voice communication services does
14 not interfere with the facility's necessary operations.

15 (b) No state agency shall derive any form of revenue or
16 financial benefit from the provision of voice communication
17 services or any other communication services to a person
18 confined in a state correctional or detention facility."

19 SECTION 4. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ or so
21 much thereof as may be necessary for fiscal year 2023-2024 and

1 the same sum or so much thereof as may be necessary for fiscal
2 year 2024-2025 for providing free voice communication services
3 to incarcerated persons in the State.

4 The sums appropriated shall be expended by the department
5 of public safety, or its successor agency, for the purposes of
6 this Act.

7 SECTION 5. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$ or so
9 much thereof as may be necessary for fiscal year 2023-2024 and
10 the same sum or so much thereof as may be necessary for fiscal
11 year 2024-2025 for the Hawaii statewide automated victim
12 information and notification system.

13 The sums appropriated shall be expended by the department
14 of public safety, or its successor agency, for the purposes of
15 this Act.

16 SECTION 6. New statutory material is underscored.

17 SECTION 7. This Act shall take effect on July 1, 2023.

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Report Title:

Communication Services; Correctional Facilities; Hawaii Youth
Correctional Facilities; SAVIN; Appropriation

Description:

Requires and appropriates moneys for the provision of free voice communication services in the State's youth and adult correctional facilities. Prohibits state agencies from deriving revenue or financial benefits from the provision of communication services to persons confined in state correctional facilities. Appropriates funds for the Hawaii state automated victim information and notification program. (HD1)

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