

ACT 318

H.B. NO. 2595

A Bill for an Act Relating to Family Visits.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds the support of family members can play a key role in an incarcerated offender's rehabilitation, transition, and successful re-entry from prison or jail to the community. By bringing together an offender and an offender's family through positive, consistent, and mutually desirable contact, the correctional system will be improving public safety and strengthening communities.

The purpose of this Act is to ensure the right of family members to visit inmates.

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

“§353- Visits from family members. (a) Family members shall be allowed to visit an inmate at any state correctional facility during official visiting hours.

(b) A visit from a family member shall be preapproved and prescheduled. Notwithstanding any other law to the contrary, preapproved and prescheduled visits for which family members have incurred substantial costs, including but not limited to travel from a neighbor island or the mainland, shall not be cancelled due to staff absenteeism or any non-emergency situation.

(c) The department shall develop internal policies and procedures consistent with this section.

(d) For the purposes of this section, “family members” means persons who are related to each other by blood, marriage, adoption, or legal guardianship, or as reciprocal beneficiaries.”

SECTION 3. New statutory material is underscored.¹

SECTION 4. This Act shall take effect on July 1, 2006.

(Became law on July 11, 2006, without the Governor's signature, pursuant to Art. III, §16, State Constitution.)

Note

1. Edited pursuant to HRS §23G-16.5.