
A BILL FOR AN ACT

RELATING TO A COMPREHENSIVE OFFENDER REENTRY SYSTEM.

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

1 SECTION 1. The legislature finds that in 2005, there were
2 16,825 persons on probation statewide under the jurisdiction of
3 the State's four judicial districts. Additionally in 2005, the
4 Hawaii paroling authority was responsible for supervising 2,119
5 parolees. As of December 25, 2006, the department of public
6 safety had 5,982 persons in its correctional system. These
7 numbers are significant in the context of a comprehensive effort
8 to reintegrate ex-offenders back to our communities as
9 productive, law-abiding citizens.

10 In recent years, state and local government agencies
11 throughout the country have begun to establish improved systems
12 for reintegrating ex-offenders as a way to prevent large numbers
13 of offenders from returning to prison. A United States
14 Department of Justice study found that sixty-seven per cent of
15 those released from state prisons in 1994 were re-arrested for a
16 new crime within the first three years of their release. Forty-
17 six per cent of the arrestees were reconvicted for a new crime



1 and fifty-one per cent were returned to prison. Efforts to
2 reduce recidivism would greatly benefit the State of Hawaii,
3 given that the State's prison and jail capacities are sorely
4 inadequate and have been severely overcrowded for the past two
5 decades.

6 The financial, social, and economic costs of incarceration
7 without rehabilitation are staggering. According to the 2004
8 annual report of the department of public safety, the
9 corrections division budget for fiscal year 2003-2004 was
10 \$190,000,000. This figure excludes the nearly \$50,000,000 in
11 contract costs with the Corrections Corporation of America to
12 house Hawaii offenders in four private correctional institutions
13 in the continental United States. Further, this figure does not
14 include the cost of arrest and prosecution, nor does it take
15 into account the cost to victims. There are also financial
16 costs associated with the health care of incarcerated
17 populations, who have a high prevalence of infectious disease,
18 substance abuse, and mental health disorders.

19 One of the most significant social costs of offender
20 reentry is its impact on children. A report commissioned by
21 Child and Family Services in 2003 estimated that there were
22 approximately six thousand children of incarcerated parents in



1 Hawaii. According to the federal Bureau of Prisons, there is
2 evidence to suggest that offenders who retain kinship ties with
3 their children and families are more likely to avoid negative
4 behavior while incarcerated and are more likely to obtain
5 reduced sentences.

6 In terms of economic costs, studies have shown that fifteen
7 to twenty-seven per cent of prisoners expect to go to a homeless
8 shelter upon release from prison. Additionally, as many as
9 sixty per cent of ex-offenders fail to find stable employment in
10 the legal labor market one year after release. A felony record
11 precludes many from gainful employment and may result in
12 persistent discrimination in the labor market. In addition to
13 housing and employment, there are the enormous economic costs of
14 crimes committed in order to obtain money for drugs.

15 The legislature further finds that sixty to eighty per cent
16 of the nation's correctional population has used illegal drugs
17 at some point in their lives. Furthermore, a United States
18 Department of Justice analysis indicates that only fifty per
19 cent of federal offenders and forty per cent of state offenders
20 have taken part in substance abuse treatment and programs since
21 being admitted to prison. Substance abuse education, treatment,



1 intervention, and follow-up services are clearly needed in a
2 comprehensive offender reentry system.

3 An offender reentry system must also consider the
4 correlation between education and recidivism. According to the
5 National Institute for Literacy, seventy per cent of all
6 offenders function at the two lowest literacy levels. A Bureau
7 of Justice Statistics analysis has found that less educated
8 offenders are more likely to recidivate. Moreover, a recent
9 United States Department of Education study found that
10 participation in a state correctional education program lowers
11 the likelihood of reincarceration by twenty-nine per cent. A
12 federal Bureau of Prisons study found a thirty-three per cent
13 drop in recidivism among federal prisoners who participated in
14 vocational and apprenticeship training.

15 The legislature further finds that juvenile offenders also
16 need programs that prepare them to return to the community as
17 productive, law-abiding youth. Data on youth released from the
18 Hawaii youth correctional facility in 2001 indicate a high
19 recidivism rate for juvenile offenders two years after their
20 release from the Hawaii youth correctional facility. There was
21 an astounding eighty-two per cent recidivism rate for youth
22 released from secure confinement at the facility. With



1 effective reentry and aftercare programs, Hawaii's juvenile
2 offenders are more likely to be successful in their transition
3 back to the community.

4 The legislature finds that increased recidivism results in
5 profound collateral consequences, including public health risks,
6 homelessness, unemployment, and disenfranchisement.
7 Accordingly, systems and programs that provide assistance with
8 offenders' transition from institutional to community life are
9 critical to the families, neighborhoods, and communities to
10 which the offender returns.

11 The legislature further finds that, in order for an
12 offender to successfully reenter the community, the offender
13 must have access to a full continuum of services during
14 incarceration and immediately upon release. Correctional
15 institutions, corporate and not-for-profit agencies, as well as
16 faith-based institutions must be involved in a comprehensive
17 effort to meet the needs of offenders returning to our
18 communities. Support services needed upon release include
19 education, continuing education, vocational training, follow-up
20 treatment services, support with finding housing and employment,
21 and help with family issues and other elements of life after
22 incarceration.



1 "Reentry programs" include programs that are located within
2 a correctional institution.

3 "Reintegration programs" include programs that are located
4 within a correctional institution.

5 "Transition programs" include programs that are located
6 within a correctional institution.

7 § -3 **Offender reentry system plan; creation.** (a) The
8 department of public safety shall develop a comprehensive and
9 effective offender reentry system plan for adult offenders
10 exiting the prison system. The office of youth services shall
11 develop a comprehensive and effective offender reentry system
12 plan for juvenile offenders exiting the youth correctional
13 facility.

14 (b) The department of public safety and the office of
15 youth services shall work with the offender reentry programs and
16 services interagency committee established in section -11 to
17 develop comprehensive reentry plans and curricula for
18 individuals exiting correctional facilities in order to reduce
19 recidivism and increase a person's successful reentry into the
20 community. The reentry plans shall include but not be limited
21 to:



- 1 (1) Adopting an operational philosophy that considers that
2 offender reentry begins on the day an offender enters
3 the correctional system. Each offender entering the
4 system shall be assessed to determine the offender's
5 needs in order to assist him or her with developing
6 the skills necessary to be successful in the
7 community;
- 8 (2) Providing appropriate programs, including but not
9 limited to education, substance abuse treatment,
10 cognitive skills development, vocational and
11 employment training, and other programs that help to
12 meet the assessed needs of each individual;
- 13 (3) Developing a comprehensive network of transitional
14 programs to address the needs of individuals exiting
15 the correctional system;
- 16 (4) Ensuring that all reentry programs are gender
17 responsive;
- 18 (5) Issuing requests for proposals from community-based
19 nonprofit programs with experience with offenders in
20 the area of reentry; and
- 21 (6) Instituting model reentry programs for adult and
22 juvenile offenders.



1 **§ -4 Model programs; department of public safety.**

2 Subject to funding by the legislature, the department of public
3 safety shall enhance the State's comprehensive offender reentry
4 system by developing model programs designed to reduce
5 recidivism and address successful reentry into the community.
6 Components of the model programs shall include but not be
7 limited to the following:

- 8 (1) Highly skilled staff who are experienced in working
9 with offender reentry programs;
- 10 (2) Individualized case management and a full continuum of
11 care to ensure successful reentry;
- 12 (3) Life skills development workshops, including
13 budgeting, money management, nutrition, and exercise;
14 development of self-determination through education;
15 employment training; special education for the
16 learning disabled; social, cognitive, communication
17 and life skills training; and appropriate treatment
18 programs, including substance abuse and mental health
19 treatment;
- 20 (4) Parenting and relationship building classes. The
21 department shall institute policies that support
22 family cohesion and family participation in offenders'



1 transition to the community; and, where possible,
2 provide geographical proximity of offenders to their
3 children and families; and

4 (5) Ongoing attention to building support for offenders
5 from communities, community agencies, and
6 organizations.

7 § -5 **Children of incarcerated parents; families.** (a)

8 The director of human services shall:

9 (1) Establish by policy or rule, services that the
10 director deems necessary for the preservation of
11 families who have been impacted by the incarceration
12 of a family member;

13 (2) Establish practices that focus on children whose
14 parents are incarcerated and work to strengthen
15 attachment and bonding between parent and child; and

16 (3) Review and make available to other states a report on
17 any recommendations regarding the role of the
18 department's child protective services at the time of
19 the arrest of a person.

20 (b) The director of public safety shall:

21 (1) Establish policies or rules that parent inmates be
22 placed in correctional facilities on the basis of the



1 "best interests of the family" rather than on the
2 basis of economic or administrative factors;

3 (2) Consider as a factor an offender's capacity to
4 maintain parent-child contact when making prison
5 placements of offenders;

6 (3) Conduct research that examines the impact of a
7 parent's incarceration on the well-being of the
8 offender's child, that shall include both direct
9 contact with an offender's child, as well as reports
10 of caregivers; and

11 (4) Conduct research that focuses on the relationship of
12 incarcerated fathers with their children and the long
13 term impact of incarceration on fathers and their
14 children.

15 § -6 **Employment of ex-offenders.** (a) The director of
16 labor and industrial relations shall take the necessary steps to
17 implement an offender reentry program that includes but is not
18 limited to educating employers about existing incentives,
19 including bonding of employees, to the hiring of former federal
20 or state offenders.



1 (b) The director of taxation shall develop and propose for
2 legislative enactment tax incentives for employers who hire
3 individuals who were formerly incarcerated.

4 § -7 **Return of out-of-state inmates.** The director of
5 public safety shall return out-of-state inmates to Hawaii at
6 least one year prior to the inmate's parole date or release date
7 in order for these inmates to participate in the State's
8 offender reentry system.

9 § -8 **Reentry specialist position; establishment.** The
10 director of public safety is authorized to establish one full-
11 time reentry specialist position within the department of public
12 safety to ensure that offenders have access to reentry
13 programming within all state facilities, monitor all state
14 contracted reentry programs, and facilitate parent-child
15 relationships in the context of correctional facility
16 governance.

17 **PART II. OFFENDER REENTRY PROGRAMS AND SERVICES**

18 **INTERAGENCY COMMITTEE**

19 § -11 **Establishment; members.** There is established the
20 offender reentry programs and services interagency committee
21 within the department of the attorney general. The attorney
22 general, or the attorney general's designee, shall chair the



1 interagency committee that shall be comprised of members from
2 the department of public safety, the Hawaii paroling authority,
3 the department of human services, the department of health, the
4 department of labor and industrial relations, the Hawaii public
5 housing authority, the department of education, the Department
6 of Veterans Affairs, other state, county, and federal government
7 agencies, service providers, community organizations, private
8 businesses, and stakeholders deemed relevant to the work of the
9 interagency committee. The interagency committee may work in
10 concert with the corrections population management commission
11 established in chapter 353F.

12 **§ -12 Duties and responsibilities.** The duties and
13 responsibilities of the interagency committee shall include but
14 not be limited to the following:

15 (1) Identifying:

16 (A) The network of reentry programs, services, and
17 activities that may exist throughout the State;

18 (B) Methods to improve collaboration and coordination
19 of existing programs and services; and

20 (C) Areas of responsibility in which improved
21 collaboration and coordination would result in



1 increased effectiveness or efficiency of service
2 delivery;

3 (2) Developing innovative interagency or intergovernmental
4 programs, activities, or procedures that would improve
5 outcomes for offenders reentering communities and for
6 their children;

7 (3) Identifying areas of research that can be coordinated
8 across agencies with an emphasis on applying evidence-
9 based practices to support services, and treatment and
10 intervention programs for reentering offenders;

11 (4) Identifying funding areas that should be coordinated
12 across agencies and any gaps in funding; and

13 (5) Identifying successful programs throughout the country
14 and presenting best practices information on offender
15 reentry programming to relevant agencies and
16 organizations to determine the extent to which those
17 programs and practices can be replicated, and make
18 information on those programs and practices available
19 throughout the State to community-based organizations
20 and others.

21 § -13 **Reporting requirements.** (a) Not later than one
22 year after the effective date of this chapter, the interagency



1 committee shall submit a report to the legislature on barriers
2 to offender reentry, including recommendations for improvements.
3 The report shall identify federal and state policies that hinder
4 successful reentry of offenders into the community. The report
5 shall analyze the effects of these barriers on offenders, on
6 children, and other family members of offenders, including the
7 issues of:

- 8 (1) Parental incarceration as a consideration for purposes
9 of family reunification under the Adoption and Safe
10 Families Act of 1997;
- 11 (2) Admission rules affecting offenders to federal and
12 state housing programs;
- 13 (3) Child support obligations and procedures;
- 14 (4) Social security benefits, veteran's benefits, food
15 stamp assistance, and other forms of federal public
16 assistance;
- 17 (5) Medicaid and medicare procedures, requirements,
18 regulations, and guidelines;
- 19 (6) Education programs, financial assistance, and full
20 civic participation;
- 21 (7) Temporary aid to needy families program funding
22 criteria and other welfare benefits;



- 1 (8) Employment barriers;
- 2 (9) Reentry procedures, case planning, and the transition
- 3 of persons from the custody of the department of
- 4 public safety to the Hawaii paroling authority or the
- 5 judiciary's probation program;
- 6 (10) Laws, rules, and practices that may require a parolee
- 7 to return to the same county that the parolee was
- 8 living in prior to the parolee's arrest, and the
- 9 potential for changing those laws, regulations, rules,
- 10 and practices so that a parolee may change the
- 11 parolee's discharge site upon release, and not settle
- 12 in the same location with persons who may be a
- 13 negative influence; and
- 14 (11) Prerelease planning procedures for prisoners to ensure
- 15 that a prisoner's eligibility for federal or state
- 16 benefits (including medicaid, medicare, social
- 17 security, and veteran's benefits) upon release is
- 18 established prior to release, and that provision for
- 19 referrals to appropriate social and health services
- 20 are linked to appropriate community-based
- 21 organizations.



1 (b) On an annual basis, the interagency committee shall
2 submit a report to the legislature on the activities of the
3 interagency committee no later than twenty days prior to the
4 convening of the regular session of 2008 and every year
5 thereafter. The report shall include recommendations and
6 proposed legislation, if any.

7 (c) On a biennial basis, the interagency committee shall
8 submit to the legislature, an independent evaluation of Hawaii's
9 offender reentry system, including specific recommendations on
10 matters provided for in section -12.

11 § **-14 Research and studies.** Research shall be conducted
12 by the interagency committee on offender reentry programs, as
13 provided for in this section. The research shall include:

14 (1) Identifying the number and characteristics of Hawaii
15 children who have had a parent incarcerated and the
16 likelihood of these minors becoming involved in the
17 criminal justice systems at some time in their
18 lifetime;

19 (2) Identifying a mechanism to compare Hawaii's rates of
20 recidivism, including rates of re-arrest, violations
21 of parole and probation, and reincarceration, with
22 offenders in various states;



- 1 (3) A study on the population of individuals released from
- 2 custody who have not recidivated and the demographics
- 3 of that population, including but not limited to data
- 4 on their housing, employment, treatment services
- 5 received, and family connections established or
- 6 maintained;
- 7 (4) Analysis of the reentry program needs of special
- 8 offender populations, including prisoners with mental
- 9 illness or substance abuse disorders, female
- 10 offenders, juvenile offenders, offenders sixty years
- 11 and older, who present unique reentry challenges;
- 12 (5) Studies to determine the categories of offenders that
- 13 are reincarcerated and which of those prisoners
- 14 represent the greatest risk to community safety;
- 15 (6) Annual reports on the profile of the population
- 16 exiting prisons, jails, and juvenile correctional
- 17 facilities in Hawaii;
- 18 (7) A state recidivism study every three years; and
- 19 (8) A study of parole violations and revocations in the
- 20 context of offender reentry programs.

PART III. ADULT AND JUVENILE OFFENDER

REENTRY DEMONSTRATION PROJECTS



1 § **-21 Adult offender reentry demonstration projects.**

2 (a) The director of public safety is authorized to provide
3 grants for adult offender reentry demonstration projects that
4 establish or improve the offender reentry system for which each
5 adult offender in state correctional custody is provided an
6 individualized reentry plan.

7 (b) Subject to funding by the legislature, the department
8 of public safety shall award adult offender reentry
9 demonstration project grants for activities that:

10 (1) Coordinate the supervision and services provided to
11 adult offenders in state custody with the supervision
12 and services provided to offenders who have reentered
13 the community;

14 (2) Coordinate efforts of various public and private
15 entities to provide supervision and services to ex-
16 offenders after reentry into the community with the
17 offenders' family members;

18 (3) Provide offenders awaiting reentry into the community
19 with documents such as identification papers,
20 referrals to services, medical prescriptions, job
21 training certificates, apprenticeship papers,
22 information on obtaining public assistance, and other



1 documents useful in achieving a successful transition
2 from prison;

3 (4) Involve county agencies whose programs and initiatives
4 strengthen offender reentry services for individuals
5 who have been returned to the county of their
6 jurisdiction;

7 (5) Allow ex-offenders who have reentered the community to
8 continue to contact mentors who remain incarcerated
9 through the use of technology such as
10 videoconferencing, and that mentors in prison are
11 encouraged to support the ex-offenders reentry
12 process;

13 (6) Provide structured programs, post-release housing, and
14 transitional housing, including group homes for
15 recovering substance abusers, through which offenders
16 are provided supervision and services immediately
17 following reentry into the community;

18 (7) Assist offenders in securing permanent housing upon
19 release or following a stay in transitional housing;

20 (8) Continue to link offenders with health resources for
21 health services that were provided to them when they
22 were in state custody, including mental health,



1 substance abuse treatment, aftercare, and treatment
2 services for contagious diseases;

3 (9) Provide education, job training, English as a second
4 language programs, work experience programs, self-
5 respect and life skills training, and other skills
6 needed to achieve self-sufficiency for a successful
7 transition from prison;

8 (10) Facilitate collaboration among corrections
9 administrators, technical schools, community colleges,
10 and the workforce development and employment service
11 sectors so that there are efforts to:

12 (A) Promote, where appropriate, the employment of
13 people released from prison and jail, through
14 efforts such as educating employers about
15 existing financial incentives and facilitate the
16 creation of job opportunities, including
17 transitional jobs, for this population that will
18 benefit communities;

19 (B) Connect offenders to employment, including
20 supportive employment and employment services,
21 before their release to the community; and



- 1 (C) Address barriers to employment, including
2 obtaining a driver's license;
- 3 (11) Assess the literacy and educational needs of offenders
4 in custody, and provide appropriate services to meet
5 those needs, including follow-up assessments and long-
6 term services;
- 7 (12) Address systems under which family members of
8 offenders are involved by facilitating the successful
9 reentry of those offenders into the community,
10 including removing obstacles to the maintenance of
11 family relationships while the offender is in custody,
12 strengthening the family's capacity to establish and
13 maintain a stable living situation during the reentry
14 process where appropriate, and involving family
15 members in the planning and implementation of the
16 reentry process;
- 17 (13) Include victims, on a voluntary basis, in the
18 offender's reentry process;
- 19 (14) Facilitate visitation and maintenance of family
20 relationships with respect to offenders in custody by
21 addressing obstacles such as travel, telephone costs,



- 1 mail restrictions, and restrictive visitation
2 policies;
- 3 (15) Identify and address barriers to collaborating with
4 child welfare agencies in the provision of services
5 jointly to offenders in custody and to the children of
6 such offenders;
- 7 (16) Collect information regarding dependent children of
8 incarcerated persons as part of intake procedures,
9 including the number of children, age, and location or
10 jurisdiction, and connect identified children of
11 incarcerated parents with appropriate services;
- 12 (17) Address barriers to the visitation of children with an
13 incarcerated parent, and maintenance of the parent-
14 child relationship, such as the location of facilities
15 in remote areas, telephone costs, mail restrictions,
16 and visitation policies;
- 17 (18) Create, develop, or enhance prisoner and family
18 assessments curricula, policies, procedures, or
19 programs, including mentoring programs, to help
20 prisoners with a history or identified risk of
21 domestic violence, dating violence, sexual assault, or
22 stalking reconnect with their families and



1 communities, as appropriate, and become mutually
2 respectful;

3 (19) Develop programs and activities that support parent-
4 child relationships, such as:

5 (A) Using telephone conferencing to permit
6 incarcerated parents to participate in parent-
7 teacher conferences;

8 (B) Using videoconferencing to allow virtual
9 visitation when incarcerated persons are more
10 than one hundred miles from their families;

11 (C) Developing books on tape programs, through which
12 incarcerated parents read a book into a tape to
13 be sent to their children;

14 (D) The establishment of family days, which provide
15 for longer visitation hours or family activities;
16 or

17 (E) The creation of children's areas in visitation
18 rooms with parent-child activities;

19 (20) Expand family-based treatment centers that offer
20 family-based comprehensive treatment services for
21 parents and their children as a complete family unit;



- 1 (21) Conduct studies to determine who is returning to
- 2 prison or jail and which of those returning prisoners
- 3 represent the greatest risk to community safety;
- 4 (22) Develop or adopt procedures to ensure that dangerous
- 5 felons are not released from prison prematurely;
- 6 (23) Develop and implement procedures to assist relevant
- 7 authorities in determining when release is appropriate
- 8 and in the use of data to inform the release decision;
- 9 (24) Utilize validated assessment tools to assess the risk
- 10 factors of returning offenders to the community and
- 11 prioritizing services based on risk;
- 12 (25) Facilitate and encourage timely and complete payment
- 13 of restitution and fines by ex-offenders to victims
- 14 and the community;
- 15 (26) Consider establishing the use of reentry courts to:
- 16 (A) Monitor offenders returning to the community;
- 17 (B) Provide returning offenders with:
- 18 (i) Drug and alcohol testing and treatment; and
- 19 (ii) Mental and medical health assessment
- 20 services;
- 21 (C) Facilitate restorative justice practices and
- 22 convene family or community impact panels, family



1 impact educational classes, victim impact panels,
2 or victim impact educational classes;

3 (D) Provide and coordinate the delivery of other
4 community services to offenders, including:

5 (i) Housing assistance;

6 (ii) Education;

7 (iii) Employment training;

8 (iv) Children and family support;

9 (v) Conflict resolution skills training;

10 (vi) Family violence intervention programs;

11 (vii) Other appropriate social services; and

12 (E) Establish and implement graduated sanctions and
13 incentives; and

14 (27) Provide technology and other tools necessary to
15 advance post release supervision.

16 **§ -22 Juvenile offender demonstration projects. (a)**

17 The director of youth services is authorized to provide grants
18 for juvenile offender reentry demonstration projects that
19 establish or improve the offender reentry system for which each
20 juvenile offender in state custody is provided an individualized
21 reentry plan.



1 (b) Subject to funding by the legislature, the director of
2 youth services shall award adult offender reentry demonstration
3 project grants for activities that:

4 (1) Coordinate the supervision and services provided to
5 juvenile offenders in state custody with the
6 supervision and services provided to offenders who
7 have reentered the community;

8 (2) Coordinate efforts of various public and private
9 entities to provide supervision and services to ex-
10 offenders after reentry into the community with the
11 offenders' family members;

12 (3) Provide offenders awaiting reentry into the community
13 with documents such as identification papers,
14 referrals to services, medical prescriptions, relevant
15 education and training documentation, and other
16 documents useful in achieving a successful transition
17 from custody;

18 (4) Involve county agencies whose programs and initiatives
19 strengthen offender reentry services for juvenile
20 offenders who have been released to their parents, to
21 foster care, or other release options;



- 1 (5) Allow ex-offenders who have reentered the community to
2 continue to contact mentors, when appropriate, who
3 remain incarcerated through the use of technology such
4 as videoconferencing, and that mentors in custody are
5 encouraged to support the ex-offenders reentry
6 process;
- 7 (6) Provide structured programs, post-release housing, and
8 transitional housing, including group homes for
9 recovering substance abusers, through which juvenile
10 offenders are provided supervision and services
11 immediately following their reentry into the
12 community;
- 13 (7) Assist juvenile offenders, when appropriate, in
14 securing housing upon release or following a stay in
15 transitional housing;
- 16 (8) Continue to link offenders with health resources for
17 health services that were provided to them when they
18 were in state custody, including mental health,
19 substance abuse treatment, aftercare, and treatment
20 services for contagious diseases;
- 21 (9) Provide education, English as a second language
22 programs, self-respect and life skills training, and



1 other skills needed to achieve self-sufficiency for a
2 successful transition from prison;

3 (10) Facilitate collaboration between schools, both
4 vocational and academic institutions of higher
5 learning, for education and career guidance for
6 juvenile offenders to:

7 (A) Promote, where appropriate, the education and
8 productive behavior of juvenile offenders
9 released from custody with the goal of helping to
10 create an environment that is also beneficial to
11 the offender's family and community; and

12 (B) Connect offenders to education services and
13 career counseling prior to their release to the
14 community;

15 (11) Assess the literacy and educational needs of offenders
16 in custody, and provide appropriate services to meet
17 those needs, including follow-up assessments and long-
18 term services;

19 (12) Address systems under which family members of
20 offenders are involved by facilitating the successful
21 reentry of those offenders into the community,
22 including removing obstacles to the maintenance of



1 family relationships while the offender is in custody,
2 strengthening the family's capacity to establish and
3 maintain a stable living situation during the reentry
4 process where appropriate, and involving family
5 members in the planning and implementation of the
6 reentry process;

7 (13) Include victims, on a voluntary basis, in the
8 offender's reentry process;

9 (14) Facilitate visitation and maintenance of family
10 relationships with respect to offenders in custody by
11 addressing obstacles such as travel, telephone costs,
12 mail restrictions, and restrictive visitation
13 policies;

14 (15) Identify and address barriers to collaborating with
15 child welfare agencies, when appropriate, in the
16 provision of services jointly to offenders in custody
17 and, when appropriate, to the children of such
18 offenders;

19 (16) Collect information regarding dependent children of
20 incarcerated juveniles, if any, as part of intake
21 procedures, including the number of children, age, and
22 location or jurisdiction and, when appropriate,



1 connect identified children of incarcerated parents
2 with appropriate services;

3 (17) Address barriers to the visitation of children with an
4 incarcerated juvenile offender, when appropriate;

5 (18) Create, develop, or enhance prisoner and family
6 assessments curricula, policies, procedures, or
7 programs, including mentoring programs, to help
8 juvenile offenders with a history or identified risk
9 of domestic violence, dating violence, sexual assault,
10 or stalking reconnect with their families and
11 communities, as appropriate, and become mutually
12 respectful;

13 (19) Develop programs and activities that support parent-
14 child relationships, such as:

15 (A) Using telephone conferencing to permit
16 incarcerated juveniles to participate in parent-
17 teacher conferences, when appropriate;

18 (B) Developing books on tape programs, through which
19 an incarcerated juvenile parent reads a book into
20 a tape to be sent to his or her child or
21 children;



- 1 (D) The establishment of family days, which provide
- 2 for longer visitation hours or family activities;
- 3 or
- 4 (E) The creation of children's areas in visitation
- 5 rooms with parent-child activities;
- 6 (20) Expand family-based treatment centers that offer
- 7 family-based comprehensive treatment services for
- 8 incarcerated juvenile offenders, their parents, and
- 9 their children, if any, as a complete family unit;
- 10 (21) Conduct studies to determine who is returning to
- 11 prison or jail and which of those returning juvenile
- 12 offenders represent the greatest risk to community
- 13 safety;
- 14 (22) Develop or adopt procedures to ensure that dangerous
- 15 juveniles are not released from prison prematurely;
- 16 (23) Develop and implement procedures to assist relevant
- 17 authorities in determining when release is appropriate
- 18 and in the use of data to inform the release decision;
- 19 (24) Utilize validated assessment tools to assess the risk
- 20 factors of returning juvenile offenders to the
- 21 community and prioritizing services based on risk;



- 1 (25) Facilitate and encourage timely and complete payment
- 2 of restitution and fines, if any, by ex-offenders to
- 3 victims and the community;

- 4 (26) Consider establishing the use of reentry courts to:
- 5 (A) Monitor offenders returning to the community;
- 6 (B) Provide returning offenders with:
- 7 (i) Drug and alcohol testing and treatment; and
- 8 (ii) Mental and medical health assessment
- 9 services;

- 10 (C) Facilitate restorative justice practices and
- 11 convene family or community impact panels, family
- 12 impact educational classes, victim impact panels,
- 13 or victim impact educational classes;

- 14 (D) Provide and coordinate the delivery of other
- 15 community services to offenders, including:
- 16 (i) Housing and placement assistance;
- 17 (ii) Education;
- 18 (iii) Career guidance;
- 19 (iv) Family support;
- 20 (v) Conflict resolution skills training;
- 21 (vi) Family violence intervention programs;
- 22 (vii) Other appropriate social services; and



1 (E) Establish and implement graduated sanctions and
2 incentives; and

3 (27) Provide technology and other tools necessary to
4 advance post release supervision.

5 § -23 **Reentry task force.** As a condition of receiving
6 financial assistance under this part, each state or county
7 agency receiving a grant shall establish a reentry task force,
8 or other relevant convening authority, to examine ways to pool
9 existing resources and funding streams to promote lower
10 recidivism rates for returning prisoners. To minimize the
11 harmful effects of incarceration on families and communities,
12 each task force or convening authority shall collect data and
13 duplicate best practices in offender reentry programming from
14 other demonstration project grantees provided for in this part,
15 and other agencies and organizations working with the prerelease
16 and newly-released offender population."

17 SECTION 3. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$4,000,000, or so
19 much thereof as may be necessary for fiscal year 2007-2008, and
20 the same sum, or so much thereof as may be necessary for fiscal
21 year 2008-2009, for the planning, development, implementation,
22 and expansion of an effective reentry system that offers full



1 continuum of services that are accessible during an adult
2 offender's incarceration and immediately after the adult
3 offender's reentry into the community.

4 The sums appropriated in this section shall be expended by
5 the department of public safety for the purposes of this Act.

6 SECTION 4. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$500,000, or so much
8 thereof as may be necessary for fiscal year 2007-2008, and the
9 same sum, or so much thereof as may be necessary for fiscal year
10 2008-2009, for the planning, development, implementation, and
11 expansion of an effective reentry system that offers full
12 continuum of services that are accessible during a juvenile
13 offender's incarceration and immediately after the juvenile
14 offender's reentry into the community.

15 The sums appropriated in this section shall be expended by
16 the office of youth services for the purposes of this Act.

17 SECTION 5. This Act shall take effect on July 1, 2007.

18

INTRODUCED BY:

Andy Ivers
James E. Ho

JAN 17 2007



Report Title:

Corrections; Offender Reentry System

Description:

Establishes offender reentry system to assist adult and juvenile offenders with preparing for release and reintegration back to the community. Establishes interagency committee and appropriates funds for demonstration projects.

