

MAR 10 2010

S.R. NO. 90

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## SENATE RESOLUTION

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REQUESTING THE HAWAII PAROLING AUTHORITY TO ESTABLISH A HOPE  
PAROLE PILOT PROGRAM.

1 WHEREAS, by the end of 2006, there were approximately  
2 2,400,000 prisoners in correctional facilities across the United  
3 States, and 4,200,000 on probation; and  
4

5 WHEREAS, many probationers often fail to show up for  
6 scheduled appointments with their probation officers and decline  
7 to take mandatory drug tests or test positive for illegal drug  
8 use; and  
9

10 WHEREAS, studies show that as many as half of all  
11 probationers go on to break the law again; and  
12

13 WHEREAS, in 2004, the Circuit Court of the First Circuit  
14 launched a probation modification project, also known as  
15 Hawaii's Opportunity Probation with Enforcement, or HOPE; and  
16

17 WHEREAS, under conventional probation systems, probationers  
18 often commit numerous probation violations, such as failing to  
19 appear for appointments with their probation officer or failing  
20 a drug test; and  
21

22 WHEREAS, these violations typically go unpunished for  
23 months or years, until the number of violations accumulate to  
24 the point that the probationer faces severe consequences,  
25 including revocation of probation and being sentenced to a long  
26 prison term; and  
27

28 WHEREAS, under the HOPE program, sanctions are imposed for  
29 each probation violation; and  
30

31 WHEREAS, while these sanctions may be relatively minor,  
32 often only a few days in jail, they are imposed immediately  
33 rather than months or years after the violation; and  
34



1 WHEREAS, in a one-year, randomized controlled trial  
2 comparing HOPE probationers to probationers in a control group,  
3 HOPE probationers were fifty-five per cent less likely to be  
4 arrested for a new crime, seventy-two per cent less likely to  
5 use drugs, sixty-one per cent less likely to skip appointments  
6 with their supervisory officer, and fifty-three per cent less  
7 likely to have their probation revoked; and  
8

9 WHEREAS, as a result of their improved progress, the HOPE  
10 probationers involved in the controlled trial served or were  
11 sentenced to, on average, forty-eight per cent fewer days of  
12 incarceration than probationers in the control group; now,  
13 therefore,  
14

15 BE IT RESOLVED by the Senate of the Twenty-fifth  
16 Legislature of the State of Hawaii, Regular Session of 2010,  
17 that the Hawaii Paroling Authority is requested to establish a  
18 two-year pilot project similar to the Judiciary's probation  
19 modification project, Hawaii's Opportunity Probation with  
20 Enforcement, or HOPE; and  
21

22 BE IT FURTHER RESOLVED that the Legislature requests that  
23 the two-year pilot parole modification project consist of no  
24 more than thirty parolees who are considered to be at high risk  
25 of violating the conditions of their parole; and  
26

27 BE IT FURTHER RESOLVED that the Legislature requests that  
28 the parole modification program:  
29

- 30 (1) Provide formal warning to the parolees, in a hearing  
31 before the Hawaii Paroling Authority, that violation  
32 of the conditions of parole shall have consequences;  
33
- 34 (2) Require the parolees to submit to weekly randomized  
35 drug testing;  
36
- 37 (3) Order the arrest of parolees who test positive for  
38 illegal drug use;  
39
- 40 (4) Order the arrest of parolees who miss a scheduled  
41 appointment with their parole officer, fail to appear  
42 for a required drug test, or otherwise violate the  
43 conditions of their parole;  
44



1 (5) Impose sanctions on parolees who violate the  
2 conditions of their parole; and  
3

4 (6) Ensure that parolees in need of drug treatment, mental  
5 health therapy, or other social services shall receive  
6 the needed treatment; and  
7

8 BE IT FURTHER RESOLVED that the Legislature requests that:  
9

10 (1) Parolees involved in the parole modification program  
11 be made aware of the sanctions that will be imposed  
12 for violating the conditions of their parole;  
13

14 (2) Sanctions be imposed within a short period of time  
15 from the occurrence of the violation; and  
16

17 (3) Sanctions include the modification of the terms of  
18 parole to include short terms of incarceration, which  
19 may be increased if a parolee continues to violate the  
20 conditions of parole; and  
21

22 BE IT FURTHER RESOLVED that the Hawaii Paroling Authority  
23 is requested to submit a preliminary report to the Legislature,  
24 not later than December 1, 2011, and a final report not later  
25 than December 1, 2012, on:  
26

27 (1) The progress of the pilot project;  
28

29 (2) Cost analysis and an accounting of expenses;  
30

31 (3) Relevant data on program participants;  
32

33 (4) Program and management evaluations; and  
34

35 (5) Any other pertinent information, recommendations, or  
36 proposed legislation, if any, to determine whether the  
37 program should be continued; and  
38

39 BE IT FURTHER RESOLVED that a certified copy of this  
40



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1 Resolution be transmitted to the Chairperson of the Hawaii  
2 Paroling Authority.  
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OFFERED BY:

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