
A BILL FOR AN ACT

RELATING TO RESTRICTED ACCESS TO CORRECTIONAL FACILITIES.

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

1 SECTION 1. Section 353-11.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§353-11.5 Restricted access to correctional facilities.**

4 (a) Except for the director and employees of the
5 department of public safety, members of the Hawaii paroling
6 authority, and those persons specified in section 353-29, no
7 person shall enter or remain on the grounds of any state
8 correctional or detention facility unless permission to so enter
9 or remain has been obtained from the administrator of the
10 correctional facility, the administrator's designated
11 representatives, or the director.

12 (b) The entry of any person or vehicle to state
13 correctional or detention facility grounds may be conditioned
14 upon a search for weapons or contraband; provided that the
15 correctional staff shall give the person notice and an
16 opportunity to decline a conditional search prior to searching a
17 person or the person's vehicle; provided further that the

1 correctional staff shall have probable cause of contraband on a
2 person prior to requiring a strip search of that person.

3 ~~(b)~~ (c) Signs shall be posted at reasonable intervals
4 along the boundary of correctional or detention facilities,
5 informing the public of the restriction against access provided
6 in subsection (a) ~~(-)~~ and of the conditional entry set forth in
7 subsection (b).

8 ~~(e)~~ (d) Any person who violates subsection (a) shall be
9 guilty of a misdemeanor."

10 SECTION 2. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 3. This Act shall take effect on July 1, 2050.

Report Title:

Restricted Access to Correctional Facilities; Property Search

Description:

Permits the conditional search of persons and vehicles entering state correctional or detention facility grounds. (SD1)