
A BILL FOR AN ACT

RELATING TO CORRECTIONS.

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

1 SECTION 1. Chapter 353, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§353- Earned time. (a) Earned time, not to exceed
5 ten days for every month of incarceration actually served, may
6 be deducted from an inmate's sentence, in the case of a
7 misdemeanor, or minimum term, in the case of a felony, upon a
8 demonstration to the department by the inmate, which is
9 certified by the inmate's case manager, that the inmate has made
10 consistent progress in each of the following categories:

11 (1) Work and vocational or occupational training,
12 including attendance, promptness, performance,
13 cooperation, care of materials, and safety;

14 (2) Social adjustment, including group living,
15 housekeeping, personal hygiene, and cooperation;

16 (3) Participation in counseling sessions and involvement
17 in self-help groups;



1 (4) Progress toward the goals and participation in
2 therapeutic or other programs established by the
3 department; and

4 (5) Positive progress, in accordance with performance
5 standards established by the department in the
6 education or literacy program.

7 (b) The department shall develop objective standards for
8 measuring consistent progress in the categories listed in
9 subsection (a). The standards shall be applied in all
10 evaluations of inmates for the earned time authorized in this
11 section.

12 (c) For each inmate committed to the custody of the
13 director, the department shall review the performance record of
14 the inmate and may grant, withhold, withdraw, or restore,
15 consistent with this section, an earned time deduction from the
16 sentence imposed. The review shall be conducted quarterly, in
17 the case of a misdemeanor, or annually, in the case of a felony,
18 while the person is incarcerated and shall vest upon being
19 granted. In addition to any other sanctions, the director may
20 refer to the prosecutor's office of the appropriate county all
21 cases where the inmate tests positive for the presence of drugs.



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1 (d) Notwithstanding any other provision of this section,
2 earned time may not reduce the sentence of any inmate by a
3 period of time that is more than twenty-five per cent of the
4 sentence or minimum term."

5 SECTION 2. New statutory material is underscored.

6 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: Mel Carrillo
Raymond Hanotano
JAN 20 2011



Report Title:

"Earned time" Credit; Corrections

Description:

Allows an inmate to receive "earned time" credit to reduce the length of a prison sentence.

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