
A BILL FOR AN ACT

RELATING TO REINTEGRATION PROGRAMS.

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

1 SECTION 1. The disproportionate representation of Native
2 Hawaiians in the criminal justice system has been previously
3 reported upon and repeatedly presented to the legislature. In
4 2010, the office of Hawaiian affairs, in collaboration with
5 academic partners, produced a report entitled, "The Disparate
6 Treatment of Native Hawaiians in the Criminal Justice System."
7 This report confirmed and expanded upon prior studies that found
8 persistent and systemic overrepresentation of Native Hawaiians
9 in the criminal justice system.

10 Following the publication of the 2010 report, the
11 legislature passed Act 170, Session Laws of Hawaii 2011, which
12 established a Native Hawaiian justice task force to formulate
13 policies and procedures to eliminate the disproportionate
14 representation of Native Hawaiians in Hawaii's criminal justice
15 system. The task force produced and reported forty-eight
16 findings and thirty-eight recommendations, including those
17 relating to the importance of effective and culturally



1 appropriate programs to assist formerly incarcerated individuals
2 reintegrate with their families and communities after release.

3 The task force found that culturally-based programs are
4 effective and that indigenous cultural practices present
5 appropriate models in ameliorating the disproportionate impact
6 of the criminal justice system on indigenous communities. The
7 task force also found that, while both public and private
8 providers currently offer reintegration services throughout the
9 State, many individuals are unaware of these services and there
10 is currently no information clearinghouse to disseminate
11 information regarding access to reintegration programs that are
12 available. Finally, the task force found that the State should
13 ensure adequate funding and staffing to create a comprehensive
14 directory of culturally based programs, indigenous models, and
15 service providers for Native Hawaiians who come into contact
16 with the criminal justice system.

17 The purpose of this Act is to effectuate one recommendation
18 of the Native Hawaiian justice task force by requiring the
19 department of health, in collaboration with the judiciary, to
20 create and manage a comprehensive directory of reintegration



1 programs and service providers for Native Hawaiians who come
2 into contact with the criminal justice system.

3 SECTION 2. (a) The adult mental health division of the
4 department of health, with the assistance of the adult client
5 services branch of the judiciary, shall create and maintain a
6 comprehensive directory of reintegration programs available to
7 Native Hawaiians who are incarcerated or were formerly
8 incarcerated in this State or elsewhere.

9 The directory shall contain information on:

- 10 (1) Pre-release programs and services available to
11 individuals who are currently incarcerated in this
12 State and in other jurisdictions under the supervision
13 of the department of public safety;
- 14 (2) Post-release programs and services available to Hawaii
15 residents who have been previously incarcerated in
16 this State or in any other jurisdiction; and
- 17 (3) Programs and services available statewide to family or
18 community members of previously incarcerated persons.

19 (b) The directory created pursuant to this Act shall
20 contain information on all programs and services available to
21 Hawaii residents and to individuals who are currently



1 incarcerated in any facility under the supervision of the
2 department of public safety and shall emphasize those programs
3 and services that:

4 (1) Employ or are modeled on Native Hawaiian cultural
5 practices and traditions;

6 (2) Respect the differences between culturally based
7 programs and other programs that are designed from
8 non-cultural models;

9 (3) Target specific criminogenic factors and utilize
10 evidence-based practices in an appropriately
11 culturally based manner; and

12 (4) Are provided by community-based service providers
13 throughout the State.

14 (c) The directory created pursuant to this Act shall be
15 made available at no charge to incarcerated individuals and
16 members of the public no later than January 1, 2018, through:

17 (1) The public websites of the department of health and
18 the judiciary;

19 (2) All programs and services offered by the adult mental
20 health division of the department of health;



- 1 (3) All programs and services offered by the adult client
- 2 services branch of the judiciary;
- 3 (4) The circuit courts of all circuits statewide; and
- 4 (5) The Hawaii paroling authority.

5 SECTION 3. There is appropriated out of the general
 6 revenues of the State of Hawaii the sum of \$ or so
 7 much thereof as may be necessary for fiscal year 2017-2018 and
 8 the same sum or so much thereof as may be necessary for fiscal
 9 year 2018-2019 for the creation and maintenance of a
 10 comprehensive directory of programs and services available to
 11 Native Hawaiians who are incarcerated or were formerly
 12 incarcerated in this State or elsewhere pursuant to this Act.

13 The sums appropriated shall be expended by the department
 14 of health for the purposes of this Act.

15 SECTION 4. This Act shall take effect on July 1, 2017.

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JAN 23 2017



H.B. NO. 919

Report Title:

Native Hawaiians; Reintegration Services; Appropriation

Description:

Directs the Department of Health, in collaboration with the Judiciary, to create and maintain a directory of reintegration programs and services for incarcerated or formerly incarcerated individuals with an emphasis on culturally based programs and services for Native Hawaiians.

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