



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 10, 2018

GOV. MSG. NO. 1321

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Twenty-Ninth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Twenty-Ninth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 10, 2018, the following bill was signed into law:

SB2861 SD2 HD1 CD1

RELATING TO PUBLIC SAFETY
ACT 212 (18)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

1 SECTION 1. According to The Pew Center on the States, one
 2 in thirty-two adults in Hawaii is under correctional control.
 3 The legislature recognized that the financial, social, and
 4 economic costs of incarceration without adequate rehabilitation
 5 are staggering, and thus enacted Act 8, Special Session Laws of
 6 Hawaii 2007 (Act 8), also known as the Community Safety Act of
 7 2007 and codified as chapter 353H, Hawaii Revised Statutes.
 8 Act 8 established a comprehensive offender reentry system under
 9 the purview of the department of public safety. One key
 10 component of Act 8 required the department of public safety to
 11 submit annual reports relating to the implementation, progress,
 12 and effectiveness of the various program components specified in
 13 Act 8.

14 While the department's annual report listed program
 15 activities and statistics, it did not include information on
 16 program outcomes. The legislature finds that use of performance
 17 indicators is an effective way to monitor and evaluate the
 18 progress of the comprehensive reentry system and to reflect the



1 philosophical change to the department's approach to
2 rehabilitation and reentry mandated by Act 8. Additionally, the
3 legislature requires specific data to accurately assess programs
4 and to continue to improve public policy.

5 The purpose of this Act is to:

6 (1) Direct the department of public safety to establish
7 key performance indicators or measures to be
8 incorporated in reports that evaluate the outcomes of
9 program components as required in Act 8; and

10 (2) Require the department of public safety to submit
11 specific program participation data annually to the
12 legislature.

13 SECTION 2. Chapter 353H, Hawaii Revised Statutes, is
14 amended by adding two new sections to be appropriately
15 designated and to read as follows:

16 "§353H- Performance indicator reporting. (a) The
17 department of public safety shall develop performance measures
18 that accurately reflect progress toward specific goals,
19 including:

20 (1) Improving recidivism rates;

21 (2) Decreasing prisoner assaults on correctional staff;



- 1 (3) Reducing correctional staff turnover; and
- 2 (4) Improving departmental efficiencies in staffing,
- 3 budgeting, and data management and analysis.
- 4 (b) The department shall develop key performance
- 5 indicators, which shall include:
- 6 (1) The number of individuals enrolled in and who have
- 7 completed a general education diploma or competency-
- 8 based diploma;
- 9 (2) The number of individuals for whom a reentry plan is
- 10 filed and the number of individuals who exit jail or
- 11 prison with a reentry plan;
- 12 (3) Drug test failure rates of inmates while incarcerated
- 13 and while on parole;
- 14 (4) The number of inmates currently enrolled in and who
- 15 have completed drug treatment programs provided by the
- 16 department of public safety;
- 17 (5) The number of inmates currently enrolled in and who
- 18 have completed restorative circles;
- 19 (6) The number of parolees who have applied for a
- 20 reduction of their minimum sentence, the number of
- 21 applications approved and denied, and, when



- 1 applicable, the reasons for the denial of a parolee's
- 2 application;
- 3 (7) The number of parole revocation hearings and the
- 4 results of parole revocation hearings that, when
- 5 applicable, explain why the parolees' revocation was
- 6 denied;
- 7 (8) The cost of incarceration per inmate, per day, per
- 8 facility;
- 9 (9) Offender demographics, including gender, race, age,
- 10 and type of offense;
- 11 (10) The number of individuals who received vocational
- 12 training or rehabilitation services and type of
- 13 vocational training or rehabilitation services
- 14 received;
- 15 (11) The total number of inmate intakes, by month,
- 16 including the number of intakes each month within the
- 17 past year and past five years;
- 18 (12) The total number of inmates released, by month;
- 19 (13) The number of inmates with substance abuse problems,
- 20 including the type of dependence or addiction, and the



1 number of inmates with no reported substance abuse
2 problems;

3 (14) The median length of incarceration, excluding inmates
4 who have received life sentences or been paroled;

5 (15) The prison population forecast for the next decade;

6 (16) The total number of pretrial detainees and the number
7 of pretrial detainees admitted each month by type of
8 crime, bail amount, risk assessed, gender, race, and
9 age;

10 (17) The number of pretrial detainees released or
11 discharged each month and the reason for the release
12 or discharge by type of crime, bail amount, risk
13 assessed, gender, race, and age;

14 (18) The average length of stay for pretrial detainees by
15 reason for release or discharge, type of crime, bail
16 amount, risk assessed, gender, race, and age;

17 (19) The number of pretrial detainees held on cash bail by
18 type of crime, bail amount, risk assessed, gender,
19 race, and age;



1 (20) The average amount of time for completing and
2 verifying pretrial risk assessment by type of crime,
3 bail amount, risk assessed, gender, race, and age; and

4 (21) The number of pretrial detainees readmitted by reason
5 for release, reason for readmission, type of crime,
6 bail amount, risk assessed, gender, race, and age.

7 §353H- Annual reporting requirements. (a) For each
8 program established pursuant to this chapter, the department
9 shall submit a report to the legislature no later than the first
10 day of December each year, beginning with the period ending on
11 November 30, 2018. Each report shall reference key performance
12 indicators that track rehabilitation and reentry efforts for
13 individuals being prepared to exit the correctional system. The
14 report shall also include:

15 (1) A complete list of programs offered;

16 (2) The length of each program;

17 (3) Each program's success rate, including the percentage
18 of participant completion in the previous two years;

19 (4) A description of participant criteria assessed by the
20 program for admittance;

21 (5) The number of available positions with each program;



1 (6) The number of potential participants on waiting lists;

2 (7) The number of participants who do not complete the
3 program;

4 (8) A summary of reasons why participants do not complete
5 a program; and

6 (9) A complete list of programs that are no longer offered
7 and explanations for termination of the programs.

8 (b) The department shall also submit a report, including
9 all of the key performance indicators provided under this
10 chapter, to the legislature no later than the first day of
11 December each year, beginning with the period ending on November
12 30, 2018.

13 (c) The department shall also post the reports
14 electronically on the department's website in a timely manner."

15 SECTION 3. Section 353G-13, Hawaii Revised Statutes, is
16 amended by amending subsection (c) to read as follows:

17 "(c) The department of public safety, in conjunction with
18 the department of health, shall report on an annual basis to the
19 legislature and to the governor, its findings concerning the
20 need for and implementation of the various provisions of this
21 chapter. The report shall include information collected under



1 subsection (a) and a synopsis of information or data necessary
2 to determine the impact, utility, and cost-benefits of the
3 provisions of this chapter. The report shall also include:

- 4 (1) A complete list of programs offered;
- 5 (2) The length of each program;
- 6 (3) Each program's success rate, including the percentage
7 of participant completion in the previous two years;
- 8 (4) A description of participant criteria assessed by the
9 program for admittance;
- 10 (5) The number of available positions with each program;
- 11 (6) The number of potential participants on waiting lists;
- 12 (7) The number of participants who do not complete the
13 program;
- 14 (8) A summary of common reasons why participants do not
15 complete a program; and
- 16 (9) A complete list of programs no longer offered, with
17 explanations for termination of the programs.

18 The department shall also post the reports electronically
19 on the department's website in a timely manner."

20 SECTION 4. New statutory material is underscored.

21 SECTION 5. This Act shall take effect upon its approval.

S.B. NO.

2861
S.D. 2
H.D. 1
C.D. 1

APPROVED this 10 day of JUL, 2018



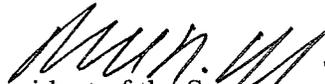
GOVERNOR OF THE STATE OF HAWAII

S.B. No. 2861, S.D. 2, H.D. 1, C.D. 1

THE SENATE OF THE STATE OF HAWAI'I

Date: May 1, 2018
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the
Senate of the Twenty-ninth Legislature of the State of Hawai'i, Regular Session of 2018.


President of the Senate


Clerk of the Senate

SB No. 2861, SD 2, HD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 1, 2018
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2018.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives